

REMARKS

Applicants wish to thank the Examiner for the cordial telephonic interview held on Friday, 30 March 2007, attended by the Examiner, R. Stephen Brown (Applicant), and Stephen J. Scribner (Reg. No. 44,452).

In the interview the cited references were discussed in relation to independent claim 24. It was agreed that none of the cited references teaches or suggests a system having "a partitioning element that allows partitioning of **either** said biological molecule **or** said at least one substrate thereinto" [emphasis added] as recited in claim 24. On this basis the Examiner agreed to withdraw the Final Office Action.

Subsequently the Examiner telephoned Stephen Scribner and suggested that the use of the words "either" and "or" in claim 24 could be interpreted as meaning "both". As a solution, the Examiner suggested that Applicants amend claim 24 by replacing the word "either" with the words --only one of--. The Examiner further suggested that such an amendment would render the claims allowable, pending the results of any additional search.

Applicants disagree with the suggestion that the words "either" and "or" in claim 24 could be interpreted as meaning "both". However, in an effort to advance prosecution of this application, Applicants have amended claim 24 as suggested by the Examiner. The remaining claims have not been amended, and claims 24 to 35 and 54 to 57 are currently pending in the application. Entry of the amendment and withdrawal of all outstanding rejections are respectfully requested.


It is respectfully submitted that since the amendment is very minor, was proposed by the Examiner, and does not provide the basis for a further search, a Request for Continued Examination (RCE) should not be required.

In view of the foregoing, it is submitted that claims 24 to 35 and 54 to 57 are in condition for allowance, and confirmation thereof is respectfully requested.

Should the Examiner believe that further personal communication would expedite the prosecution of this application, he is invited to telephone Stephen Scribner at 613-533-2342.

Respectfully submitted,

DOWELL & DOWELL, P.C.



Ralph A. Dowell
Reg. No. 26,868

Date: 30 MARCH 2007

DOWELL & DOWELL, P.C.
Suite 406
2111 Eisenhower Ave.
Alexandria, VA 22314

Telephone (703) 415-2555